

THE HONOURABLE MS JUSTICE G.ROHINI

WRIT PETITION No.32258 of 1997

Dated 15th February 2007

Between:

Katuri Mahalaxmamma,
Lalapuram village, Guntur District.

.....Petitioner

and

The Special Commissioner Land revenue,
Andhra Pradesh, Nampally Station Road,
Hyderababd and another.

.....Respondents.

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WRIT PETITION No.32258 of 1997

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ORDER:

This writ petition is filed seeking a declaration that the order passed by the 1st respondent in Proceedings No.BCW5/1261/97, dated 14.11.97, as arbitrary and illegal and consequently to direct the respondents not to evict the petitioner from S.No.216 of 2001 to an extent of Ac.5.52 cents of Ankireddy palem village, Guntur District, pending final disposal of the appeal before the 1st respondent.

Under the impugned order, the 1st respondent while entertaining a revision petition against the order passed by the 2nd respondent dated 15.10.1997 directing cancellation of Patta issued to the writ petitioner, rejected the application of the writ petitioner for grant of stay.

This Court, while directing Rule Nisi by order dated 31-12-1997, granted interim directions not to evict the petitioner from S.No.216 of 2001 to an extent of Ac.3.52

cents of Ankireddy palem village, Guntur District, pending final disposal of the appeal before the 1st respondent.

Though, no counter affidavit is filed on behalf of the respondents, having regard to the nature of the controversy involved,

I am of the opinion that no adjudication on merits is necessary since the order impugned arises out of the proceedings in the revision petition, pending before the 1st respondent.

Accordingly, the writ petition is disposed of with a direction to the 1st respondent to dispose of the revision petition, pending on his file, if not already disposed of, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order, till such time, the interim direction granted by this Court on

31-12-1997 shall continue. No order as to costs.

(G.ROHINI, J)

Dated: 15th February 2007

mrh